

THE HON'BLE SRI JUSTICE C.V.RAMULU

WRIT PETITION NO.17159 OF 2006

-
DATE: 06-9-2007

-
Between:

Mandala Lakshmi,
W/o M.Narayanappala Naidu,
Aged about 25 years,
R/o Thimiteru village,
Dattirajeru Mandal,
Vizianagaram District.

...Petitioner

And

1. The Director of Women & Child Welfare,
Government of A.P., Hyderabad and 4 others. ...Respondents.

* * *

ORDER:

-

This writ petition is filed apprehending appointment of respondent No.5 to the post of Anganwadi worker of Thimiteru village, Dattirajeru Mandal, Vizianagaram District.

2. It appears that the petitioner and the 5th respondent applied to the post of Anganwadi Worker of Thimiteru village, Dattirajeru Mandal of Vizianagaram District and both of them were interviewed on 27.01.2006. According to the petitioner she is more qualified and fully eligible for being appointed to the post of Anganwadi Worker. While that being so, the official respondents have selected 5th respondent and taking steps to appoint her as Anganwadi Worker of Thimiteru village, Dattirajeru Mandal,

Vizianagaram District. According to the petitioner, 5th respondent is not qualified to hold the said post. She has not passed X class as required under the notification.

3. A detailed counter-affidavit is filed on behalf of the respondent Nos.1, 3 and 4 stating that the respondent No.5 is the native of Thimiteru village and she was selected to the post of Anganwadi Worker. The 5th respondent earlier is working as Early Childhood Education Instructor in the same village since 13.7.1998 and there are instructions from the Commissioner and Director of School Education, A.P., Hyderabad, stating that instructors and Helpers of Early Childhood Education centers may be continued with the approval of Mothers Committee. In this case the Selection Committee selected the name of the 5th respondent as she is working as Early Childhood Education Instructor since 8 years. It is further stated that the Collector, Vizianagaram opined that the selection of 3 persons, who did not pass SSC but sent for training, when fully qualified persons were available, was found to be *prima facie* incorrect. Accordingly, the selection of 3 candidates was cancelled and relieved them without completing the training. In respect of 5th respondent also she was found that she is not entitled for selection as Anganwadi Worker, therefore, she was also not sent for training and not issued with appointment order.

4. In the entire counter filed by the respondent Nos.1, 3 and 4 it is not clear as to whether any other fully qualified person is available in the village other than the petitioner. It is also not the

case of the respondents that some other candidate who is the resident of same village was fully qualified to hold the said post. The official respondents have categorically stated that the petitioner is the native of same village.

5. Under these circumstances, respondents 2 to 4 are directed to reconsider the application of the petitioner as well as the 5th respondent along with others and pass appropriate orders within a period of four weeks from the date of receipt of this order and communicate the same to the petitioner and 5th respondent.

6. The writ petition is accordingly disposed of.

C.V.RAMULU, J.

Date: September 6, 2007.
BSB